

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

MINUTES OF PROCEEDINGS

DATE: June 4, 2014

HONORABLE AIDA M. DELGADO-COLON, CHIEF U.S. DISTRICT JUDGE

COURTROOM DEPUTY: Sarah V. Ramón Case No. CR. 13-058-01 (ADC)

COURT REPORTER: Diane Breaz

=====

United States of America

ATTORNEYS:

Plaintiff

AUSA Marshal Morgan

v.

Brett Jones-Theophilious

Juan Hernández
(Stand by counsel)

Defendant(s)

=====

Case called for a Pretrial Conference.

Defendant claims he was not notified of the Court's resetting, is challenging the statute and insists on representing himself.

Copy of the Court's order resetting the hearing is provided to the defendant and he's advised that he's assisted by stand by counsel, therefore, notifications are notified to attorney of record.

Court addresses matters brought forth by defendant regarding his medical condition, requesting reasonable accommodation during trial and the subpoenas that have not been issued:

- The Court notes that it needs to make sure that defendant is aware of the charge filed against him, the maximum penalties he's facing, right to be assisted by counsel and right to go to trial.
- Needs to warn defendant of danger and disadvantage of self representation and that defendant is not jeopardizing his rights at trial.
- Revisits defendant's waiver of right to be assisted by counsel.
- Will not discuss the issue regarding mental competency. Defendant was already evaluated and was found competent to assist his counsel.

Page-2-

- Subpoenas defendant intended to issue are to other judges that have presided over his case. Defendant is placed on notice that these cannot be issued. The presiding judge(s) has/have no knowledge of the facts of the case.
- Today's hearing is continued to June 23, 2014 at 9:30 a.m. Defendant is notified in open court of the resetting.
- Alerts defendant that the Court is making a full analysis of all documents on the record. If not convinced that defendant can represent himself, he will remain with appointed counsel.
- Copies and motions filed in the case are to be forwarded and hand delivered to defendant by personnel from MDC-Guaynabo. Attorney Matos to be notified.
- Pro-se motions filed on the docket are to be stricken from the record.

Government's counsel argues that defendant is merely challenging the jurisdiction. Informs the penalties that defendant is exposed to. Government stresses it will prove elements of the offense, that defendant engaged in interstate travel and failed to register.

Attorney Hernandez clarifies documents and discovery requested by defendant were made available. The same were delivered to MDC-Guaynabo on May 20, 2014.

Court will inquire attorney Matos regarding this matter.

Defendant moves for Judge's recusal and anticipates he will subpoena the presiding judge as his witness.

Oral motion for recusal Denied by the Court.

Defendant notifies he will appeal the Court's determination and also the Court's determination of not holding a competency hearing.

s/Sarah V. Ramón
Sarah V. Ramón, Deputy Clerk